

DEPARTMENT OF STATE
THE LEGAL ADVISER

2:30 pm L

12525

September 15, 1970

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TO: The Secretary
THROUGH: S/S *B*
FROM: L - John R. Stevenson *gms*
SUBJECT: Aircraft Hijacking -- Special Session of ICAO
AV 3 ICAO

I have asked for a meeting with you this afternoon at 2:30 to discuss our initiatives at ICAO (International Civil Aviation Organization). Charles Butler, Permanent U.S. Representative to ICAO, John Meadows, Director, Office of Aviation, Joe Sisco, John Rhineland, Deputy Legal Adviser and I will attend.

The ICAO Council has scheduled a special Session on Friday, September 18, at 10 A.M. in response to our letter we sent to the President of the Council as directed by the President in paragraph 5 of his statement of September 11 (Tabs A and B, respectively). An interagency group has recommended that the only document the U.S. should submit in advance is a draft resolution calling for (a) joint action to suspend service and (b) preparation of a sanctions convention.

A draft resolution for adoption by the ICAO Council is attached (Tab C).

If approved by you, we would propose (1) to send a copy of the draft resolution to our ICAO office in Montreal immediately to begin informal discussions with ICAO Council members and (2) to cable the text to friendly capitals with ICAO Council members to enlist the strongest support possible. Even if the ICAO Council meets on Saturday, September 19, it is unlikely that any resolution will be adopted prior to the following week.

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L. J. B. Rhineland, Jr.

Wm

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I would like to raise three issues with you this afternoon:

(1) Whether our call for joint action to suspend service should be phrased so that it could apply to the present situation in the Middle East. The present draft could apply, for example, in the event the UAR fails to extradite or prosecute the hijackers who destroyed the PANAM 747 in Cairo and would also apply to Jordan if we were to conclude that Jordan was not taking appropriate steps to facilitate the release of passengers and crews still held.

(2) Whether the U.S. should attempt to have the ICAO Council Session public rather than private. The inter-agency group which has reviewed our proposed resolution strongly recommends that we seek a public session and that the statement of the U.S. representative, together with the text of the proposed U.S. resolution, be released to the press in Washington (probably on Friday).

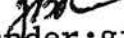
(3) Whether a high level Presidential appointee from Washington should initially present the U.S. position in ICAO. While the presence of a representative from Washington probably will neither help nor hinder whatever success we might have in achieving a successful resolution in ICAO, it could be important for domestic reasons to indicate the Administration's concern. On the other hand, the U.S. has never replaced its representative to ICAO for any Council session. If a representative from Washington were to make the initial statement, I believe it important that the follow-on efforts should be conducted by Mr. Butler.

Attachments

TAB A - Letter to Pres., ICAO
TAB B - President's Statement of September 11
TAB C - Draft U.S. resolution

cc:

NEA - Mr. Sisco
E/TT/OA - Mr. Meadows


L:JBRhineland:ginger:9/15/70:X-29598

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